

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Gordon Vance, on February 2, 2017 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Gordon Vance, Chair (R)
Sen. Steve Fitzpatrick, Vice Chair (R)
Sen. Dee Brown (R)
Sen. Edward Buttrey (R)
Sen. Terry Gauthier (R)
Sen. JP Pomnichowski (D)
Sen. Roger Webb (R)
Sen. Lea Whitford (D)

Members Excused: Sen. Jen Gross (D)

Members Absent: None

Staff Present: Laura Sankey Keip, Legislative Branch
Tia Stockton, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 92, 1/31/2017

Executive Action: HB 55 - Be concurred in as amended

00:00:03 Chair Vance

HEARING ON HB 92

Opening Statement by Sponsor:

00:00:56 Rep. Frank Garner (R), HD 7, opened the hearing on HB 92, Allow for alternative contracting process for the department of transportation.

Proponents' Testimony:

00:04:01 Kevin Christensen, Montana Department of Transportation (MDT)
[EXHIBIT\(his24a01\)](#)

00:07:55 Cary Hegreberg, Montana Contractors Association (MCA)
[EXHIBIT\(his24a02\)](#)

00:10:43 Bill Lloyd, American Council of Engineering Companies
00:12:16 Webb Brown, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

00:13:13 Russ Katherman, Department of Administration

Questions from Committee Members and Responses:

00:13:56 Sen. Buttrey
00:14:25 Rep. Garner
00:14:40 Dave Ohler, chief legal counsel, Montana Department of Transportation (MDT)
00:15:08 Sen. Buttrey
00:15:19 Mr. Ohler, MDT
00:15:51 Sen. Webb
00:16:18 Mr. Christensen, MDT
00:18:15 Sen. Webb
00:18:26 Mr. Christensen
00:18:32 Sen. Brown
00:18:52 Mr. Christensen
00:24:35 Sen. Brown
00:24:53 Mr. Christensen
00:25:04 Sen. Webb
00:25:24 Mr. Christensen
00:25:35 Chair Vance
00:25:45 Mr. Hegreberg, MCA
00:27:41 Sen. Buttrey
00:28:00 Mr. Hegreberg
00:28:32 Mr. Christensen

Closing by Sponsor:

00:29:22 Rep. Garner

00:31:12 Chair Vance

EXECUTIVE ACTION ON HB 55

00:31:18 **Motion:** Sen. Fitzpatrick moved to **RECONSIDER THE MOTION** on **HB 55**.

00:31:28 Chair Vance

00:31:57 Without objection, Sen. Fitzpatrick withdrew the motion to **RECONSIDER THE MOTION** on **HB 55**.

00:32:04 **Motion:** Sen. Fitzpatrick moved that **HB 55 BE REMOVED FROM TABLE**.

Discussion:

00:32:14 Chair Vance

00:32:18 Sen. Fitzpatrick

00:32:32 Chair Vance

00:33:34 **Vote:** Motion carried 6-2 by roll call vote with Sen. Brown and Sen. R. Webb voting no.

00:33:38 **Motion:** Sen. Fitzpatrick moved that **HB 55 BE CONCURRED IN**.

00:33:53 **Motion:** Sen. Fitzpatrick moved that **HB 55 BE AMENDED**.

Discussion:

00:33:55 Sen. Fitzpatrick

[EXHIBIT\(his24a03\)](#)

00:34:00 Sen. Brown

00:34:30 Sen. Pomnichowski

00:34:59 Sen. Buttrey

00:36:11 **Vote:** Motion carried 8-1 by roll call vote with Sen. Pomnichowski voting no. Sen. Gross voted by proxy.

00:36:15 **Vote:** Motion carried 5-4 by roll call vote with Sen. Brown, Sen. Pomnichowski, Sen. Vance and Sen. R. Webb voting no. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON HB 41

00:37:06 Sen. Buttrey

00:37:59 **Motion:** Sen. Buttrey moved to **RECONSIDER THE MOTION** on **HB 41**.

Discussion:

00:38:14 Sen. Brown
00:38:29 Chair Vance
00:38:52 Sen. Pomnichowski
00:39:06 Chair Vance
00:39:12 Sen. Buttrey
00:39:23 Sen. Pomnichowski
00:39:50 Sen. Fitzpatrick
00:40:13 Sen. Pomnichowski
00:40:33 Sen. Buttrey
00:40:56 Sen. Brown
00:41:13 Chair Vance
00:41:32 Sen. Pomnichowski
00:42:13 Chair Vance
00:42:35 Sen. Brown
00:42:47 Chair Vance
00:42:52 Sen. Whitford
00:43:25 Sen. Buttrey
00:44:55 Sen. Whitford

00:45:31 Without objection, Sen. Buttrey withdrew the motion to **RECONSIDER**.

****Note:** Bill will now be reported out of committee since it had not been reported out of committee on 1/31/17 at the request of the chair.

00:45:39 Chair Vance

ADJOURNMENT

Adjournment: 3:46 PM

Tia Stockton, Secretary

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Additional Documents:

EXHIBIT([his24aad.pdf](#))